IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.44351 of 2008
SATYA NARAYAN TIWARI, SON OF DEO NARAYAN TIWARI, R/V POSDAHA, P.S. NARPATGANJ FULKAHA, DISTRICT ARARIA----------PETITIONER.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.

For the Petitioner : Mr. Radha Mohan Singh, Advocate.
For the Opposite party : Mr. Nitya Nand Tiwary, APP.

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04. 05.12.2008. Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Section 379 of the Penal Code with regard to theft of motorcycle. He has been implicated in this case at the instance of Pappu Bishwash @ Pappu Kumar Bishwash who has since been admitted to the privilege of bail by another bench of this Court under orders dated 18.11.2008, Annexure-2 to the supplementary affidavit filed today.

It is submitted on behalf of the petitioner that the case of the petitioner and the said Pappu Bishwash @ Pappu Kumar Bishwash is exactly similar and he should also be allowed the same treatment. When such submission was made, this Court enquired from the learned counsel about the antecedent of the petitioner then he admitted that besides the present case petitioner is also accused in three more cases for the offence under Sections 379 and 394. Such aspect of the matter was not noticed by the another bench of this Court when Pappu

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Bishwash @ Pappu Kumar Bishwash was admitted to the privilege of bail under orders dated 18.11.2008, Annexure-2.

In the circumstances, I am unable to persuade myself to grant bail to the petitioner and this application is, accordingly, rejected. He is, however, at liberty to renew prayer for bail after completing nine months in jail custody.

(V.N.Sinha, J)

Rajesh/

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